

Article - Local Government

[\[Previous\]](#)[\[Next\]](#)

§4–204.

(a) A proposal to incorporate an area as a municipality is initiated when a valid petition is presented to the county commissioners or county council of a county by:

(1) at least 25% of the registered voters who are residents of the area proposed to be incorporated; or

(2) at least 20% of the registered voters who are residents of the area proposed to be incorporated, together with the owners of at least 25% of the assessed valuation of the real property of the area proposed to be incorporated.

(b) The Office of the Attorney General shall:

(1) create a standard petition form for use by an organizing community; and

(2) provide the board of elections of each county with the form for distribution to an organizing community.

(c) A petition presented under subsection (a) of this section shall:

(1) express the interest of the subscribing individuals in the incorporation of the area;

(2) contain a detailed description of the boundaries of the area proposed to be incorporated, including a survey of courses and distances or general landmarks and place names;

(3) state the name of the new municipality, which may not be the same as a name used by a municipality or county in the State; and

(4) state the names of the individuals who will initially represent the organizing community on the organizing committee.

(d) The organizing community shall obtain the minimum number of valid signatures required under subsection (a) of this section within 18 months after the organizing community receives the standard petition form from the county board of elections.

(e) Each person signing the petition shall indicate on the petition:

(1) the person's name and residence address; and

(2) if the petition is intended to be presented under subsection (a)(2) of this section and the person signing the petition owns real property in the area proposed to be incorporated, the location and assessed valuation of the property.

(f) Within 60 days after receiving a petition, the county commissioners or county council shall:

(1) verify that each person who signed the petition:

(i) resides in the area proposed to be incorporated;

(ii) is registered to vote in the elections of that county; and

(iii) if applicable, owns real property within the area proposed to be incorporated;

(2) verify that the petition meets the requirements of this section; and

(3) appoint a county liaison if the petition meets the requirements of this section.

(g) A petition, when received, becomes the property of the county commissioners or county council and may not be used to initiate another incorporation.

(h) A proposal to incorporate a municipality and to adopt a municipal charter may not be rescinded after the formal submission of the proposal in a manner other than that of a formal charter repeal as provided in §§ 4-313 and 4-314 of this title.

[\[Previous\]](#)[\[Next\]](#)